

☐ As the representative of _____, who is a living person.

☐ As the Administrator, Administrator ad Prosequendum, or other representative of the Estate of _____ (hereinafter "Decedent"), who died on _____.

4. Additionally, _____, is/are the [Check the applicable designation or delete paragraph if there is no additional claim]:

☐ Spouse

☐ Child/Children

☐ Other (Set forth) _____

of _____, is/are a resident(s) of the State of _____, and is/are hereby named as an additional plaintiff(s), and claims damages.

5. Plaintiff asserts that the Plaintiff was administered New England Compounding Pharmacy, Inc. ("NECC") drug _____ (hereinafter referred to as "NECC drug"), causing injuries and damages.

6. The aforesaid administration of the NECC drug occurred on: _____ [List all dates of administration specific for each NECC drug], at _____, by _____ [List all physicians/healthcare professionals who administered each NECC drug], at _____ [List each healthcare facility where each NECC drug was administered], located in _____ [City], _____ [State].

7. Dr. _____ [List all physicians/healthcare professionals who administered each NECC drug] and healthcare facility _____ [List each

healthcare facility where each NECC drug was administered] are hereinafter collectively referred to as “Clinic Related Defendants.”

8. Plaintiff(s) adopt(s) and incorporate(s) by reference the following Causes of Action asserted against the Defendants in the Master Complaint:

- ☐ COUNT I: NEGLIGENCE AND GROSS NEGLIGENCE (Against Liberty)
- ☐ COUNT II: NEGLIGENCE AND GROSS NEGLIGENCE (Against UniFirst)
- ☐ COUNT III: NEGLIGENCE AND GROSS NEGLIGENCE (Against Clinic Related Defendants)
- ☐ COUNT IV: VIOLATION OF CONSUMER PROTECTION STATUTES (Against Clinic Related Defendants)
- ☐ COUNT V: VIOLATION OF M.G.L. C. 93A (Against Liberty)
- ☐ COUNT VI: VIOLATION OF M.G.L. C. 93A (Against UniFirst)
- ☐ COUNT VII: BATTERY (Against Clinic Related Defendants)
- ☐ COUNT VIII: FAILURE TO WARN (Against Clinic Related Defendants)
- ☐ COUNT IX: TENNESSEE PRODUCT LIABILITY CLAIMS (Against Tennessee Clinic Related Defendants)
- ☐ COUNT X: AGENCY (Against Clinic Related Defendants)
- ☐ COUNT XI: CIVIL CONSPIRACY (Against Clinic Related Defendants)
- ☐ COUNT XII: WRONGFUL DEATH PUNITIVE DAMAGES (Against Each Defendant)
- ☐ COUNT XIII: LOSS OF CONSORTIUM (Against All Defendants)
- ☐ COUNT XIV: PUNITIVE DAMAGES (Against All Defendants)

9. [Include either paragraph 9 or paragraph 10] Plaintiff(s) complied with the

applicable state law pre-suit requirements for filing this Short Form Complaint required under _____ [insert state specific statute/rule]. See attached _____ [such as demand letter, letter of intent or certificate of merit, notice to the attorney general, etc. or delete this paragraph if there are no pre-suit requirement for filing plaintiff's complaint.]

10. Plaintiff(s) have sent or served the pre-suit notice or demand requirements necessary to bring the claims set forth below, as required under _____ [insert state specific statute/rule]. See attached _____ [attach state specific requirement, such as demand letter, letter of intent or certificate of merit, notice to the attorney general, etc.]

Plaintiff(s) do not now assert but will seek leave to amend to assert the following claims promptly after the time period for giving notice has expired:

[List counts with check boxes from paragraph 8]

11. Plaintiff _____ [name] claims to have suffered the following injuries as a result of the administration of NECC's drug: _____ [describe injuries].

12. Plaintiff _____ [name] claims to have suffered the following damages as a result of the implantation of the prior designated pelvic mesh product(s): _____ [describe damages].

13. The additional designated plaintiff(s) has suffered/have suffered/will continue to suffer the following: _____ [describe damages].

WHEREFORE, Plaintiff(s) demand(s) Judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, costs of suit, and such further relief as the Court deems equitable and just.

Plaintiff(s) reserve the right to amend this Complaint to add allegations and claims against individuals or entities currently omitted (in light of the Court's order permitting a Master Complaint naming defendants affiliated with NECC and currently participating in mediation by December 20) and to add or amend allegations against Defendants named herein based, in part, on further discovery.

[The following to be used only if Count VIII is adopted above or in states requiring an Ad Damnum Clause]:

WHEREFORE, Plaintiff(s) demand(s) Judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, cost of suit, and such further relief as the Court deems equitable and just, and further, pursuant to _____ [insert statute], Plaintiff(s) pray(s) for damages in an amount not to exceed \$ _____ [Enter Amount].

[If applicable additional allegations and/or counts are necessary, set them forth here.
If not, delete]

SECOND COUNT

14. Plaintiff(s) re-allege(s) and incorporate(s) by reference each of the foregoing paragraphs as if set forth at length herein.

15. Plaintiff(s) assert(s) the following additional Causes of Action against Defendant(s) [set forth the applicable Defendant(s), cause(s) of action and, where required, supply the supporting facts and allegations with specificity]:

16. _____ claims to have suffered the following injuries as a result of the administration of the NECC drug: _____.

17. _____ claims to have suffered the following damages as a result of

the administration of the NECC drug: _____.

18. The additional designated plaintiff(s) has suffered/have suffered/will continue to suffer the following: _____.

WHEREFORE, Plaintiff(s) demand(s) Judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, costs of suit, and such further relief as the Court deems equitable and just.

JURY DEMAND

Plaintiff(s) hereby demand(s) a trial by jury.

Respectfully Submitted,

PLAINTIFF(S),

By (Their) Attorneys,

[insert signature block]

Date: